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TOGETHER WITH SOME OF HIS SPEECHES IN THE HOUSE  
OF DELEGATES OF VIRGINIA, AND HIS LETTERS IN REFERENCE  
TO SECESSION AND THE THREATENED CIVIL WAR IN  
THE UNITED STATES, ETC., ETC.

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BY  
JOHN LEWIS PEYTON,  
*Author of "The American Crisis, or pages from the Note-book of a State-  
agent during the Civil War;" "Over the Alleghanies, and across the  
Prairies;" "The Adventures of my Grandfather," etc., etc., etc.*

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MEMOIR  
OF  
WILLIAM MADISON PEYTON,  
OF ROANOKE.

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CHAPTER I.

THE pithy remark of Taylor, in Philip Van Artevelde, that the "world knows nothing of its greatest men," is so universally accepted in the present day, as to have passed into an axiom. And never has its force and beauty been more impressed upon my mind than when contemplating the life and character of the subject of this sketch. Of him it may be said that he was a great man in all that constitutes true greatness. A man of comprehensive ideas, deep sympathies and generous impulses, which took the form of noble deeds;—a man of varied endowments, cultivated intellect, extensive learning, and refined tastes and affections, who wielded a powerful influence on the circle in which he moved, and upon all with whom he came in contact;—a man always mentioned by his friends and acquaintances with

affectionate respect and as one gifted with the inspiration of genius. Yet few beyond the limits of his native state have heard his name or known ought of his life. To me the office of rescuing from unmerited oblivion the character of such a man is too grateful to be neglected. A higher motive, however, directs my course than the gratification of personal feelings. His character was singularly instructive, and, while the life of a good man cannot be written without pleasure, it is equally true that it cannot be read without improvement.

William Madison Peyton, of Roanoke, Virginia, was the only child of John Howe Peyton, of Montgomery Hall, by his first wife Susan, daughter of William Strother Madison \* and was born September 4th, 1805, in Montgomery County, Virginia, where his mother was at the time on a chance visit. Descended from an ancient noble family on the father's side,† he had the good fortune to be related by blood through his mother to some of America's greatest men ‡. At the period of

\* William Strother Madison was the nephew of the Right Reverend James Madison, D.D., Bishop of Virginia, and cousin to the celebrated author of the "Constitution," *James Madison*, fourth President of the United States, and married Elizabeth Preston, daughter of William Preston, of Smithfield, Montgomery County, Virginia.

† See Appendix A.

‡ Among others, he was cousin to the celebrated Presbyterian Divine, Robert J. Breckenridge, of Kentucky; to Major-General John C. Breckenridge, late Vice-President of the United States; to the stern patriot, John Brown, of Kentucky, a member of the Continental Congress in 1787, and eighteen years United States Senator for Kentucky, after the Independence of his country was achieved; to the eloquent governor James McDowell, of Virginia; to the great South Carolinian Orator, William Campbell Preston; to General James Patton Preston, Governor

his birth, our revered father, then about twenty-seven years of age, was a rising barrister on the Fredericksburg circuit, and resided in the neighbourhood of that city and of his birth place "Stoney Hill." Four years subsequently he removed to Augusta Co., which was ever after his home, and from which he was never long absent, except under the following circumstances.

At no period since the existence of a misunderstanding and controversy between Great Britain and the United States, on the subject of what was styled "The Right of Search," had the excitement in America attained the height it did in the winter of 1811-12. The signs of approaching war were numerous and unmistakeable. The British Government claimed the right to impress native-born British subjects, though they had become naturalized American citizens, found on American national vessels as well as from merchantmen. This lamentable extravagance on part of the English Cabinet caused no small irritation in the United States, and it became—sooner than was imagined in Downing Street—a matter of grave importance how the question might be disposed of peaceably. Both Presidents Jefferson and Madison pointed out that to accomplish it by treaty the susceptibilities of the American people must not be offended by the slightest concession on a point which touched their honour. Jefferson, however—

of Virginia; to Hon. Francis Preston Blair, of Missouri; to Thomas F. Marshall, M.C. for Kentucky; to Benjamin Howard, Governor of Missouri; and to Robert Wickliffe, M.C. for Kentucky.—See Appendix B., a reprint of Orlando Brown's "Memoranda of the Preston family," Albany, New York, 1864.



such was his desire for peace—opened negotiations with Great Britain on the *vexata quæstio* as early as 1806. The negotiations failing, and a collision arising out of the British claim, between the United States frigate *Chesapeake* and the British frigate *Leopold*, in 1807, in which the British were worsted, the Government of Mr. Jefferson once more sought to arrive at a pacific solution of the difficulty, and a treaty to this end was signed by the representatives of the two Governments in London during the winter of 1807-8. Immediately thereafter it was transmitted to Washington, but owing to some of its vague features, President Jefferson signified to Congress his refusal to ratify it on the 18th of March 1808. Meantime, Great Britain had opened that series of attacks upon neutral rights known as the "Orders in Council," in retaliation for which Napoleon issued his equally aggressive Berlin decrees of 1806-10. Jefferson determined to follow the example of the French, and an embargo was declared in 1807, but was shortly afterwards revoked. Then non-intercourse or non-importation acts with regard to Great Britain were passed by the American Congress. Indignation and excitement still increasing in the United States, President Madison was re-elected, on condition that he would declare war against England, and on the re-assembling of Congress, after this election, a new embargo was laid, an increase of the army voted, and other steps taken as preparation for war. On the 1st of June, President Madison sent a war message to Congress, and, in accordance with his views, war was

declared by the United States against Great Britain on the 18th of June, 1812.

The nation was much divided on this policy. By the opposition party, the main strength of which was in the Northern and Eastern States, it was considered as a mere administration measure, resistance to which argued no want of patriotism, but quite the contrary; and so from the beginning to the close of hostilities the Federalists did all they could to stay the course on which they thought the Government was driving to destruction. The Hartford Convention met, and some of the New England States went so far as to nullify an Act of Congress regarding enlistments. During all this time the country was in great want of resources, which nothing but unanimity could supply. The army was but a handful, and the militia, instead of coming forward in large numbers, remained at home to attend party meetings and discuss the right of the Government to call them out; the supply of war material was very scanty, and the treasury almost empty.

Such was the unpromising state of affairs, when my father, who had voted for Mr. Madison and warmly supported the war policy, came forward and exerted every energy of mind and body to stir up popular enthusiasm in support of the war. He volunteered at once into the army, to serve until peace was proclaimed, and was immediately appointed Chief of the Staff of General Robert Porterfield. Forgetting everything but his duty to his country, which, with the patriot is paramount, he abandoned his lucrative practice, which

more selfish men greedily sought to appropriate, and left his wife and family in order to join the army in Eastern Virginia, with the active operations of which he was identified until the declaration of peace, February 17th, 1815.

But to return from this digression. In 1809, when our gallant father changed his residence to Augusta, Staunton was already a considerable place and the seat of the Superior Courts of Law and Equity for Western Virginia, the jurisdiction of the Chancery Court, extending south 300 miles to the Tennessee frontier, and west about 400 miles to the Ohio River. To lawyer and litigant alike, it was, therefore, not only the most interesting, but the most important point west of the Blue Ridge. To its quiet streets and attractive suburbs the principal members of the profession throughout Virginia were periodically drawn at term time. Among the most conspicuous legal men of those days who attended these terms were George Hay, author of "Hortensius" and other political tracts, George Wythe, Philip Doddridge, Edmund Randolph, William Wirt, author of the Life of Patrick Henry and of "The British Spy," John Marshall, afterwards Chief Justice of the Supreme Court of the United States, Henry Peyton, James and Philip P. Barbour, and among the junior members of the bar, who were always present and subsequently became eminent lawyers, were Benjamin Watkins Leigh, John Wickham, Littleton W. Tazewell, Mr. (afterwards Judge) Coulter, Chapman Johnson, Briscoe G. Baldwin,

Samuel Blackburn, Henry St. George Tucker, author of a "Commentary on Blackstone" and Stirling Claiborne. Neither railroads nor steamboats then existing, Judges, Chancellors, and Lawyers often travelled hundreds of miles on roads little better than Indian war paths, in rickety stage coaches, or on horseback, carrying their briefs in portmanteaux or saddle bags. Their physical powers were as sorely tried by the profession, as their mental energies, and a sound mind in a sound body was indispensable to the successful practitioner. One of the legal lights of that day was the late Daniel Sheffey, who was wont to say, there was nothing like leather. He was a man of excellent abilities and remarkable energy. Exerting both these qualities, he rose from the bench of a journeyman shoemaker to a seat in Congress and the front rank of his profession. Mr. Sheffey facetiously used to remark, in his later life, that when he was a young man the most important preliminary for the legal tyro was not the study of Coke and Blackstone, but (Mr. Sheffey drew his joke from his trade) the *tanning of his cuticle*, a precaution which one of his clients observed would certainly lessen the pains of horsemanship, but render the gentlemen of the long robe insufferable, if their brazen airs increased as their hides toughened.

It did not unfrequently happen that the "bench and bar" must swim across rivers and pass over high and rugged mountains to attend term; and it is related among the *ana* of this period, that a solicitor to whom a horse was sold with a warranty that "the animal possessed the usual qualities of a riding horse," brought

an action and summarily recovered damages, the fact transpiring after the sale, that the horse was unable to swim. Inasmuch as the lawyer had been detained from a term of the court by reason of this defect, the jury mulcted the defendent in heavy damages, requiring him at the same time to receive back the comparatively useless animal.

To this important town of Staunton, the centre of all that was learned in the law, our respected father was called by his appointment as public prosecutor in 1808, and was now reaping the honours and rewards of his profession. Absorbed by these duties, he could give little of that care and attention to his son's education which my grandfather had bestowed upon his. His wife, however, a woman of energy and experience combined with rare good sense, and whose nature was tempered with singular tenderness of affection and adorned by much simplicity of character, a freshness of wit and an unfailing cheerfulness, which made her the delight of every circle, qualities which were transmitted with exceptionable fidelity to her son, undertook and performed this task. His mind was early stored by her with useful knowledge, his heart fortified with generous principles, and his passions regulated by discipline. She sought to make him good rather than great, believing that nothing can make a man truly great but being truly good. She had none of the ambition and worldly-mindedness of the mother of Zebedee's children, who brought her two sons to Christ, and said: "Grant that these may sit, the one on Thy right hand and the other

on the left, in Thy Kingdom. "She was wiser than that mother whom the Saviour so sharply reproved for her haughty spirit, by saying : "Ye know not what ye ask." She understood too well that the wings of Icarus are but the instruments of self destruction to the simpletons who try to soar away upon them ; "that it is better to be of an humble spirit with the lowly, than to divide the spoil with the proud."

In his fifteenth year he had the misfortune to lose the guardianship of this excellent woman. The illness which terminated her life was sudden and unexpected. She had long been in delicate health. This had, however, at no time given rise to symptoms causing much anxiety. The melancholy event overwhelmed the world of Staunton, where she had made hosts of friends, with grief. She was a dear and admired friend and her body, says one of those present, was followed to the tomb by multitudes, who responded to the sad summons with tears and marks of sympathy.

Mrs. Susan Madison Peyton often spoke with a mother's pride and affection of the obedient, truthful, and ingenuous character of her son, remarking that he had never, save upon one occasion, deliberately defied her authority. This occurred in his tenth year, when, during the war of 1812-15 between England and the United States, a call was made for volunteers. Our patriotic father, who had been two years in the service, returned on furlough, from Camp Holly, near Richmond, to pass a few days with his family. During this short leave he was actively engaged recruiting, and a number

of young men were enrolled in the service. On his arrival at home, he presented my brother with a fowling-piece, purchased in Richmond. William was greatly delighted with this plaything, and was the whole day "banging away" at beast and bird.

Some of Napoleon's biographers have endeavoured to account for his sanguinary tastes and love of war, by the supposition that these were called forth and stimulated by a dismounted field-piece, which he used in his childhood as a plaything. If there be any truth in this account, which I doubt, it is possible that William Peyton's fowling-piece and the smell of villanous saltpetre aroused in him something of the like martial spirit, for he was quickly seized with a desire to join the Augusta forces and proceed to the seat of war. The idea was simply ridiculous, and its absurdity was explained to him by his mother. Inexpressibly disappointed, chagrined, and mortified, he held his peace and waited an opportunity. Next morning our father bade farewell to his family, giving much good advice to my brother. The substance of this was contained in the celebrated President Thomas Jefferson's ten good rules to be observed in practical life, a copy of which he left with William. With Mr. Jefferson our father had been on terms of intimate friendship for many years, always passing a night at Monticello when attending the superior court of Albemarle, and having been Mr. Jefferson's counsel in the Rivanna canal and other suits.

Mr. Jefferson's rules, which my brother committed

to memory, but which I doubt whether he governed himself strictly by, were :

1. Never put off till to-morrow what you can do to-day.
2. Never trouble others for what you can do yourself.
3. Never spend your money before you have it.
4. Never buy what you do not want because it is cheap.
5. Pride costs us more than hunger, thirst, and cold.
6. We never repent of having eaten too little.
7. Nothing is troublesome that we do willingly.
8. When angry, count ten before you speak : if very angry, one hundred.
9. Take things always by the smoothest handle.
10. In all cases when you cannot do as well as you would, do the best you can.

After my father's farewell, he took command of the recruits and proceeded by forced marches to the front. The day following, my brother was missed. A diligent search failed to disclose his hiding place. Messages were despatched in pursuit towards Richmond, his old nurse declaring her belief that he had followed the "sogers." On the next day they came upon him twenty-five miles from home on the Eastern slope of the Blue Ridge mountain. When overtaken, he was sitting, apparently in meditation, munching a piece of salt pork, among a party of teamsters belonging to the supply trains, covered with dust, wearied and foot sore, his fowling piece loaded lying by his side. Though nearly exhausted in body, his resolution was as determined as ever to follow the troops, and stand up, as he said, for old Virginia. He seemed to think his country in dire extremity. Like his companions, the teamsters, he believed, however, that she would emerge from the storm and have a brilliant future. For himself, he



asked no recompense, but to serve her, to fight for her. Such were the notions already floating through his juvenile mind. Was this patriotism? Could such sentiments find a place in the breast of one so young or had the smell of gunpowder and the fowling-piece aroused the spirit of war in his bosom? He was at once taken prisoner and borne home in the most inglorious manner. Finding on his return, his mother ill and in tears, he was deeply grieved at his behaviour; his conscience, indeed, seemed to overwhelm him with reproaches. Becoming at once sensible of the reckless cruelty of his foolish conduct, he made every apology and atonement in his power; sought to soothe her with a voice and manner of touching sorrow, and ever after was the most affectionate and obedient of sons. It is not, surprising then, that he was the darling of her heart.

It may not be here out of place to anticipate and to remark that from this period, throughout life, deference to his parents was one of his leading traits. He honoured them by loving them, confiding in them, obeying them, abstaining from whatever was disagreeable to them, and doing everything in his power to promote their comfort and happiness. After the loss of his mother, and our father's second marriage to one of her cousins, Anne Montgomery Lewis, daughter of Major John Lewis, of the Sweet Springs, a distinguished officer of the American revolutionary army, and grandfather of the writer, he extended to her, not only deference and respect, but a truly filial affection. My mother was,

therefore, soon warmly attached to him, and taught her children to love him before they learned to do so for his own qualities, for the variety of his endowments and the extent of his accomplishments, as they were developed to the family in after years. My affection hurries me on. I pause, and ask myself why I speak of his great accomplishments. Can any human knowledge be all-comprehensive? The most eminent philosopher is of yesterday, and knows nothing. Newton felt that he had gathered but a few pebbles on the shores of a boundless ocean. The moment we attempt to thoroughly penetrate a subject, we learn that it probably has unfathomable depths. That which is known is the prelude to the infinite unknown. Every discovery gives us a glimpse of greater things to be discovered. In everything, from the grain of sand to the stars, the wise man finds mysteries before which his knowledge sinks into insignificance. It must be understood that the idea sought to be conveyed is that his attainments were vast only in relation to those of other men.

In his twelfth year he entered, as a pupil, the Staunton Academy, then under a head master of the name of Fuller, a man of much learning and of a plodding character. Here he remained four years and was quickly distinguished for his superior parts; was known

“As a sharp witted youth—

Grave, thoughtful, and reserved among his mates,

Turning the hours of sport and food to labour.”

The common recreations of volatile youth, the games invented to kill time without improvement, he never enjoyed; but sought for higher gratification in science

and meditation. It soon became a common remark of his teachers and acquaintances, that he was "a boy of singularly gifted intellect." He spoke at this time with peculiar vivacity and fluency, was already brilliant in his juvenile wit, and quick in the acquisition of knowledge. His liveliness too, was not the noisy accompaniment of emptiness, but the offspring of a rich imagination. It may not be out of place to mention here that at this time, and indeed throughout life, his health, like that of his mother, was delicate—at times alarmingly so. This may account in a measure for his neglect of sports and his studious habits. At the Academy he was obedient and industrious, and manifested in his every act a kind and affectionate disposition, which was combined with a rare uprightness and love of truth. Such was the sweetness of his temper, his amiability and readiness to oblige, his simplicity of character and thorough ingenuousness, that he won the affectionate confidence of all with whom he came in contact. His influence, as will be readily inferred, over his youthful companions was marked, and was solely due to his superior power, his firmness and moderation, and not to any bullying or self assertion. To the youngest and weakest he always acted as the kindest and humblest brother. Like the apostle of old, he was gentle towards all, even as a nurse cherisheth her children. Consequently the intimate connections formed in his boyhood were never relaxed or broken through life. On the contrary he was noticed for maintaining among men throughout

life the ascendancy which he acquired at school over his youthful companions. Possessing a clear judgment and a fund of common sense, he was always able to give his young companions sage counsel and to extricate them from the little difficulties of the daily course. Many a time he was seen, during this period, in the play grounds of the school, the centre of a circle of lads, with whom he conversed about their studies, thus lightening their labours and clearing away their difficulties. His frank and kindly manner, his tenacity of principle and feeling, his power of belief, the entire absence of cynicism, all of which he displayed at that early period, invited the confidence of all his companions. In their little griefs and sorrows his schoolfellows appealed to him, and such was his joyous, buoyant spirit that he never failed to soothe and comfort them. It is not surprising, then, that he exerted the most salutary influence in the Academy. At this school he obtained a good classical and mathematical education, and was considered so mature, both in character and attainments, that he was, in 1822, withdrawn, and matriculated at the University of New Jersey, Nassau Hall, Princeton, whither we will follow him in the next chapter.